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*Admitted only in Maryland
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***Admitted only in Texas

February 28, 2002

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Commissioner for Patents
Washington, D.C. 20231

1808.0010002

WRITER'S DIRECT NUMBER:
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Re: U.S. Utility Patent Appl. No. 10/052,545; Filed: January 23, 2002
For: **Human Melanocyte Stimulating Hormone Receptor Polypeptide and DNA**

Inventors: Wikberg *et al.*

Our Ref: 1808.0010002/MAC/MBT

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. Information Disclosure Statement;
2. Form PTO-1449 (16 pages), including copies of fifty-seven (57) documents cited; and
3. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Michele A. Cimbala

Michele A. Cimbala
Attorney for Applicants
Registration No. 33,851

MAC/MBT/lam
Enclosures

P:USERS MTUNG 1808 002 pto idsptotn

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of:

Wikberg *et al.*

Appl. No. 10/052,545

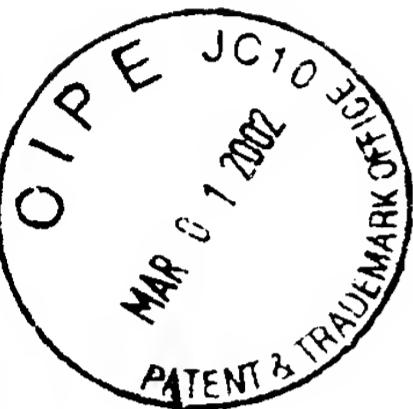
Filing Date: January 23, 2002

For: **Human Melanocyte Stimulating
Hormone Receptor Polypeptide
And DNA**

TECH SECT 1600 2900

Art Unit: *To be assigned*Examiner: *To be assigned*

Atty. Docket: 1808.0010002/MAC/MBT

Information Disclosure Statement

Commissioner for Patents
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. A copy of each document is provided.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

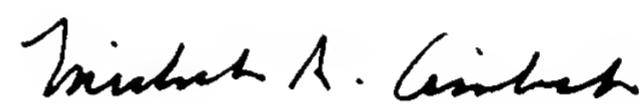
This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this pleading is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

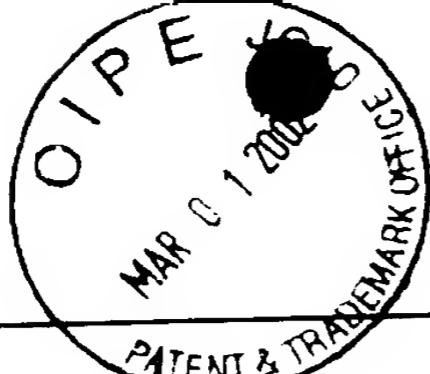


Michele A. Cimbala
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Date: Feb. 28, 2002

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P:\USERS\MTUNG\1808\002.IDS pleading



FORM PTO-1449

INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO. 1808.0010002/MAC/MBT APPLICATION NO. 10/052,545

APPLICANT Wikberg et al.

FILING DATE January 23, 2002

GROUP To be assigned

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
AA1		5,280,112	01/18/1994	Cone et al.	536	23.5	04/10/1992
AB1		5,532,347	07/02/1996	Cone et al.	536	23.5	04/10/1992
AC1		5,554,729	09/10/1996	Cone et al.	530	350	06/15/1993
AD1		5,622,860	04/22/1997	Yamada et al.	435	252.3	02/17/1994
AE1		5,710,265	01/20/1998	Yamada et al.	536	23.5	06/27/1996
AF1		5,773,229	06/30/1998	Cone et al.	435	7.21	06/07/1995
AG1		5,837,521	11/17/1998	Cone et al.	435	240.1	04/08/1993
AH1		5,849,871	12/15/1998	Cone et al.	530	350	06/06/1995
AI1		6,100,048	08/08/2000	Cone et al.	435	7.21	09/04/1996
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FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
AL1		WO 93/21316	10/28/1993	WIPO (original w/corrected version attached)			Yes No
AM1		WO 94/04674	03/03/1994	WIPO			Yes No
AN							Yes No
AO							Yes No
AP							Yes No

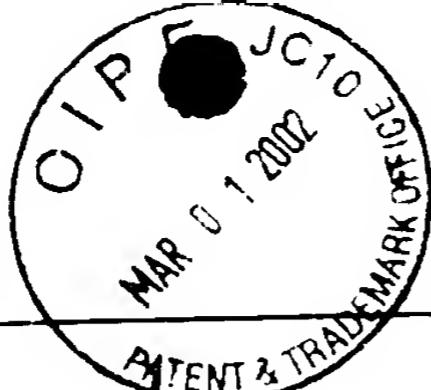
OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	1	Burchill, S.A., et al., "Tyrosinase Synthesis in Different Skin Types and the Effects of α -Melanocyte-Stimulating Hormone and Cyclic AMP," <i>J. Invest. Dermatol.</i> 95:558-561, Williams & Wilkins Co. (1990).
AS	1	Chhajlani, V., et al., "Molecular cloning and expression of the human melanocyte stimulating hormone receptor cDNA," <i>FEBS Lett.</i> 309:417-420, Elsevier Science B.V. (September 1992).
AT	1	Chhajlani, V., et al., "Molecular Cloning of a Novel Human Melanocortin Receptor," <i>Biochem. Biophys. Res. Comm.</i> 195:866-873, Academic Press, Inc. (September 1993).

EXAMINER

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FORM PTC-1449

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	AL						Yes No
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	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	<u>2</u>	Clark, W.G., et al., "Analysis of the Antipyretic Action of α -Melanocyte-Stimulating Hormone in Rabbits," <i>J. Physiol.</i> 359:459-465, Cambridge University Press (1985).
AS	<u>2</u>	Database EMBL, Accession No. L06155, Gantz, I., et al. (February 1993).
AT	<u>2</u>	Database EMBL, Accession No. X70667, Roselli-Rehfuss, L., et al. (August 1993).

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INFORMATION DISCLOSURE STATEMENT

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1808.0010002/MAC/MBT

APPLICATION NO.
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APPLICANT
Wikberg et al.

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	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	3	de Wied, D., "Melanotropins as Neuropeptides," Ann. NY Acad. Sci. 680:20-28, Springer Press (May 1993).
	AS	3	Gantz, I., et al., "Molecular Cloning of a Novel Melanocortin Receptor," J. Biol. Chem. 268:8246-8250, American Association for Biochemistry and Molecular Biology, Inc. (April 1993).
	AT	3	Gantz, I., et al., "Molecular Cloning, Expression, and Gene Localization of a Fourth Melanocortin Receptor," J. Biol. Chem. 268:15174-15179, American Association for Biochemistry and Molecular Biology, Inc. (July 1993).

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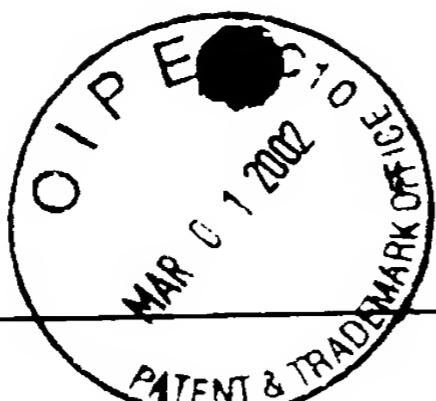
OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	4	Ghanem, G.E., et al., "Evidence for Alpha-Melanocyte-Stimulating Hormone (α -MSH) Receptors on Human Malignant Melanoma Cells," <i>Int. J. Cancer</i> 41:248-255, Alan R. Liss, Inc. (1988).
AS	4	Ghanem, G., et al., "Alpha-Melanocyte-Stimulating Hormone Immunoreactivity in Human Melanoma Metastases Extracts," <i>Pigment Cell. Res.</i> 2:519-523, Alan R. Liss, Inc. (1989).
AT	4	Handelmann, G.E., et al., "Alpha-Melanocyte Stimulating Hormone Facilitates Learning of Visual but not Auditory Discriminations," <i>Peptides</i> 4:145-148, Ankho International Inc. (1983).

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FOREIGN PATENT DOCUMENTS

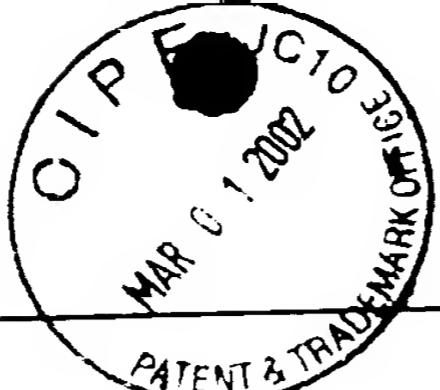
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	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	5	Hiltz, M.E. and Lipton, J.M., "Antiinflammatory activity of a COOH-terminal fragment of the neuropeptide α -MSH," FASEB J. 3:2282-2284, Federation of American Societies for Experimental Biology (1989).
AS	5	Hnatowich, D.J., "Antibody Radiolabeling, Problems and Promises," Nucl. Med. Biol. 17:49-55, Pergamon Press plc. (1990).
AT	5	Ho, V.C., et al., "Therapy for cutaneous melanoma: An update," J. Am. Acad. Dermatol. 22:159-176, Mosby (1990).

EXAMINER DATE CONSIDERED

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TECH C Page 6 of 6
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FORM FTO-1449

INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO. 1808.0010002/MAC/MBT	APPLICATION NO. 10/052,545
APPLICANT Wikberg et al.	
FILING DATE January 23, 2002	GROUP To be assigned

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FOREIGN PATENT DOCUMENTS

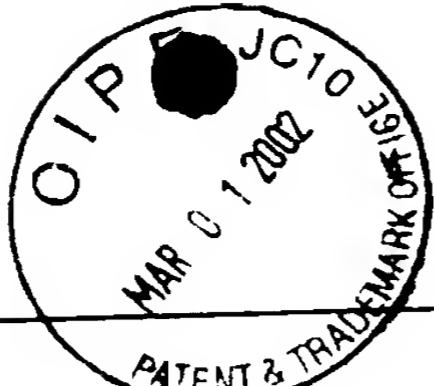
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	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	6	Kameyama, K., et al., "Differentiation and the Tumorigenic and Metastatic Phenotype of Murine Melanoma Cells," <i>Int. J. Cancer.</i> 45:1151-1158, Wiley-Liss, Inc. (1990).
AS	6	Knapp, M.R., et al., "Simultaneous expression of immunoglobulin μ and δ heavy chains by a cloned B-cell lymphoma: A single copy of the V_{H} gene is shared by two adjacent C_{H} genes," <i>Proc. Natl. Acad. Sci. USA</i> 79:2996-3000, National Academy of Sciences (1982).
AT	6	Kobilka, B.K., et al., "An intronless gene encoding a potential member of the family of receptors coupled to guanine nucleotide regulatory proteins," <i>Nature</i> 329:75-79, Macmillan Magazines Ltd. (1987).

EXAMINER _____ DATE CONSIDERED _____

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Page 7 of 16

FORM PTC-1449

INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.
1808.0010002/MAC/MBT

APPLICATION NO
10/052,545

APPLICANT
Wikberg et al.

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	AP						Yes No

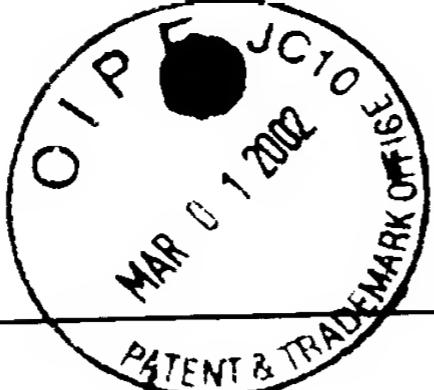
OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	7	Larson, S.M., "Biologic Characterization of Melanoma Tumors by Antigen-Specific Targeting of Radiolabeled Anti-Tumor Antibodies," <i>J. Nucl. Med.</i> 32:287-291, Society of Nuclear Medicine (February 1991).
AS	7	Levine, N., et al., "Induction of Skin Tanning by Subcutaneous Administration of a Potent Synthetic Melanotropin," <i>J. Am. Med. Assoc.</i> 266:2730-2736, American Medical Association (November 1991).
AT	7	Lewin, R., "When Does Homology Mean Something Else?" <i>Science</i> 237:1570, American Association for the Advancement of Science (1987).

DATE CONSIDERED

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FORM PTC-1449

INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO. 1808.CC10002/MAC/MBT	APPLICATION NO. 10/052,545
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APPLICANT Wikberg et al.

FILING DATE January 23, 2002

GROUP To be assigned

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U.S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

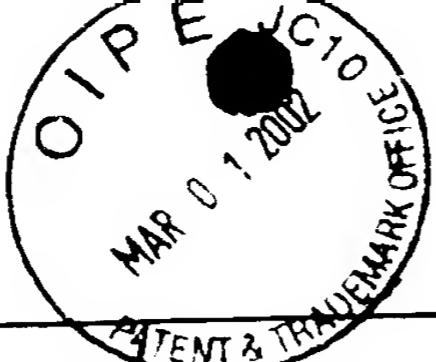
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	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	8	Liu, M.A., et al., "Hormone Conjugated with Antibody to CD3 Mediates Cytotoxic T Cell Lysis of Human Melanoma Cells," <i>Science</i> 239:395-398, American Association for the Advancement of Science (1988).
AS	8	Mertz, L.M. and Catt, K.J., "Adrenocorticotropin receptors: Functional expression from rat adrenal mRNA in <i>Xenopus laevis</i> oocytes," <i>Proc. Natl. Acad. Sci. USA</i> 88:8525-8529, National Academy of Sciences (October 1991).
AT	8	Mountjoy, K.G., et al., "The Cloning of a Family of Genes That Encode the Melanocortin Receptors," <i>Science</i> 257:1248-1251, American Association for the Advancement of Science (August 1992).

EXAMINER	DATE CONSIDERED
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TECH SUPPORT 1000 2000 Page 9 of 16

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ATTY. DOCKET NO. 1808.0010002/MAC/MBT		APPLICATION NO. 10/052,545
APPLICANT Wikberg et al.		
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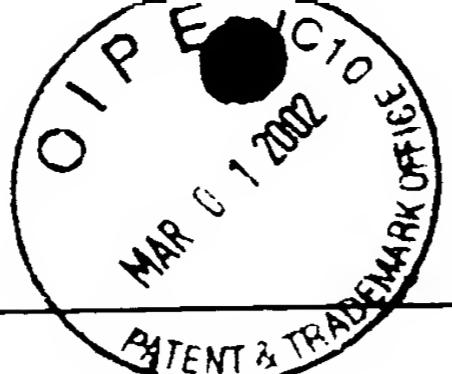
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	AM						Yes
	AN						No
	AO						Yes
	AP						No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>9</u>	Murphy, J.R., et al., "Genetic construction, expression, and melanoma-selective cytotoxicity of a diphtheria toxin-related α -melanocyte-stimulating hormone fusion protein," <i>Proc. Natl. Acad. Sci. USA</i> 83:8258-8262, National Academy of Sciences (1986).
	AS	<u>9</u>	Oki, S., et al., "' γ -MSH' Fragments from ACTH- β -LPH Precursor Have an Affinity for Opiate Receptors," <i>Eur. J. Pharmacol.</i> 64:161-164, Elsevier/North-Holland Biomedical Press (1980).
	AT	<u>9</u>	Pawelek, J.M., "Factors Regulating Growth and Pigmentation of Melanoma Cells," <i>J. Invest. Dermatol.</i> 66:201-209, Williams & Wilkins Co. (1976).

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Page 10 of 16

FORM PTO-1449 <u>INFORMATION DISCLOSURE STATEMENT</u>		ATTY. DOCKET NO. <u>TEC/MAN/EN 100029</u> APPLICATION NO. 1808.0010002/MAC/MBT <u>10/052,545</u>
APPLICANT Wikberg et al.		
FILING DATE January 23, 2002	GROUP To be assigned	

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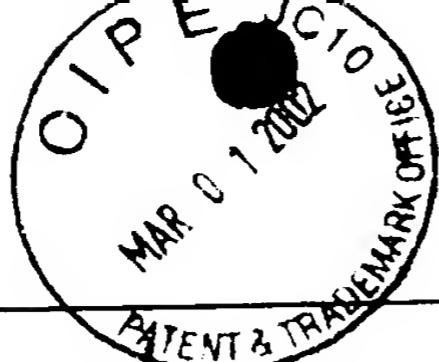
OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	<u>10</u>	Reeck, G.R., et al., "Homology' in Proteins and Nucleic Acids: A Terminology Muddle and a Way out of it," Cell 50:667, Cell Press (1987).
AS	<u>10</u>	Schiöth, H.B., et al., "Characterisation of melanocortin receptor subtypes by radioligand binding analysis," Eur. J. Pharmacol. 288:311-317, Elsevier Science B.V. (February 1995).
AT	<u>10</u>	Shimomura, H. and Terada, A., "Primary structure of the rat beta-1 adrenergic receptor gene," Nucl. Acids Res. 18:4591, Oxford University Press (1990).

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Page 11 of 16

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AR	<u>11</u>	Siegrist, W., et al., "Characterization of receptors for α -Melanocyte-stimulating Hormone on Human Melanoma Cells," <i>Cancer Res.</i> 49:6352-6358, American Association for Cancer Research (1989).
AS	<u>11</u>	Solca, F., et al., "The Receptor for α -Melanotropin of Mouse and Human Melanoma Cells," <i>J. Biol. Chem.</i> 264:14277-14281, American Society for Biochemistry and Molecular Biology, Inc. (1989).
AT	<u>11</u>	Strand, F.L., et al., "Melanotropins as Growth Factors," <i>Ann. NY Acad Sci.</i> 680:29-50, Springer Press (May 1993).

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ATTY. DOCKET NO.
1808.0010002/MAC/MBT

APPLICATION NO.
10/052,545

APPLICANT
Wikberg et al.

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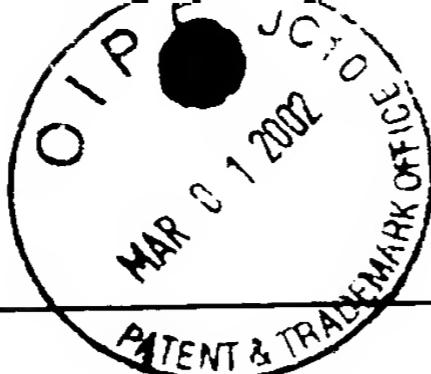
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	AR	<u>12</u>	Sukhanov, V.A., et al., "Melanocyte-Stimulating Hormone (α -MSH) Inhibits the Growth of Human Malignant Melanoma Cells with the Induction of Phosphatidyl Inositol and Myo-Inositol Phosphate Levels," <i>Biochem. Intl.</i> 24:625-632, Academic Press Australia (July 1991).
	AS	<u>12</u>	Tatro, J.B. and Reichlin, S., "Specific Receptors for α -Melanocyte-Stimulating Hormone Are Widely Distributed in Tissues of Rodents," <i>Endocrinology</i> 121:1900-1907, Endocrine Society (1987).
	AT	<u>12</u>	Tatro, J.B., et al., "Melanotropin Receptors of Murine Melanoma Characterized in Cultured Cells and Demonstrated in Experimental Tumors <i>in Situ</i> ," <i>Cancer Res.</i> 50:1237-1242, American Association for Cancer Research (1990).

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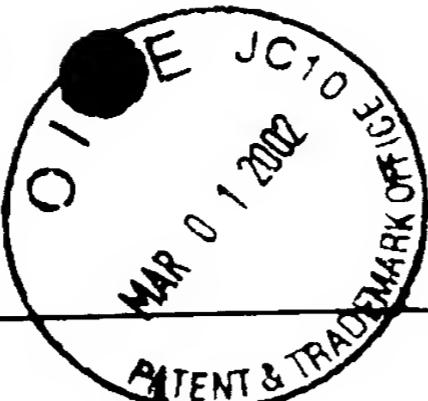
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AR	<u>13</u>	Tatro, J.B., et al., "Melanotropin Receptors Demonstrated In Situ in Human Melanoma," <i>J. Clin. Invest.</i> 85:1825-1832, American Society for Clinical Investigation, Inc. (1990).
AS	<u>13</u>	Tatro, J.B., et al., "Interaction of an α -Melanocyte-stimulating Hormone-Diphtheria Toxin Fusion Protein with Melanotropin Receptors in Human Melanoma Metastases," <i>Cancer Res.</i> 52:2545-2548, American Association for Cancer Research (May 1992).
AT	<u>13</u>	"Two modes of binding accommodate large and small agonists," in: <i>An Introduction to Molecular Neurobiology</i> , Hall, Z.W., Ed., Sinauer Associates, Inc., Sunderland, MA, pp.190-191 (1992).

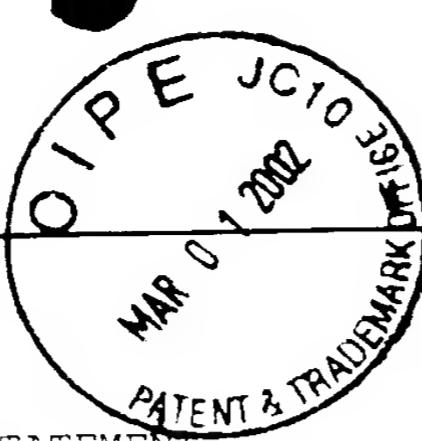
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	AR	<u>14</u>	Veith, J.L., et al., "Effects of MSH/ACTH 4-10 on Memory, Attention and Endogenous Hormone Levels in Women," <i>Physiol. Behav.</i> 20:43-50, Pergamon Press and Brain Research Publ. (1978).				
	AS	<u>14</u>	Ward, M.A., et al., "MSH/ACTH 4-10 in Men and Women: Effects upon Performance of an Attention and Memory Task," <i>Physiol. Behav.</i> 22:669-673, Pergamon Press and Brain Research Publ. (1979).				
	AT	<u>14</u>	Wen, Z., et al., "Diphtheria Toxin-related α -Melanocyte-stimulating Hormone Fusion Toxin," <i>J. Biol. Chem.</i> 266:12289-12293, American Society for Biochemistry and Molecular Biology, Inc. (July 1991).				
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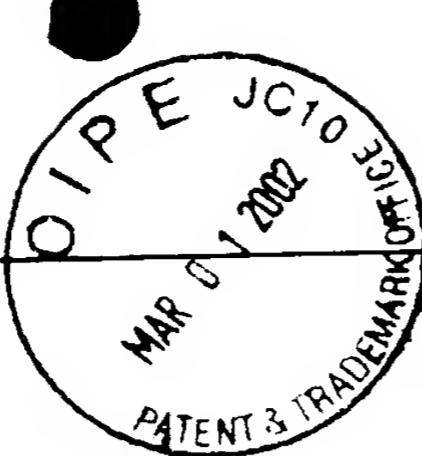
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AR	<u>15</u>	Wright, M.S., et al., "Cloning strategies for peptide hormone receptors," <i>Acta Endocrinol.</i> 126:97-104, Munksgaard (February 1992).
AS	<u>15</u>	Partial European Search Report for the corresponding EPO application, European Patent Application No. 01 11 0664, mailed November 8, 2001.
AT	<u>15</u>	Allowed claims from United States Patent Application No. 08/387,805, Wikberg et al., filed February 21, 1995.

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